

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JONATHAN VILLAREAL,
INDIVIDUALLY AND DERIVATIVELY
ON BEHALF OF ZROBLACK, LLC;

Plaintiff,

VS.

JOHN SAENZ, MIGUEL VILLARREAL,
JR., GUNN, LEE & CAVE, P.C.,

Defendants.

5-20-CV-00571-OLG-RBF

ORDER

Before the Court are (1) the First Amended Application for Seizure, Temporary Restraining Order, Preliminary Injunction, and Permanent Injunctive Relief filed by Plaintiffs Jonathan Villarreal individually and derivatively on behalf of ZroBlack, LLC, Dkt. Nos. 34 (sealed copy) & 37 (redacted copy for the public record); (2) the Motion to Dismiss filed by Defendant John Saenz, Dkt. No. 41, and (3) the Motion to Dismiss filed by Defendants Miguel Villarreal, Jr. and Gunn, Lee & Cave, PC (collectively, the “Law Firm Defendants”), Dkt. No. 40. This case was referred for resolution of all pretrial matters including requests for injunctive relief pursuant to Rules CV-72 and 1 of Appendix C of the Local Rules of the United States District Court for the Western District of Texas. *See* Dkt. Nos. 22 & 36.

On April 13, 2021, the Court held a hearing on the above-referenced Motions at which all parties appeared through counsel of record. At the hearing and while the Court took a short recess, counsel for Plaintiffs and Defendant Seinz briefly discussed whether and to what extent they could agree upon the temporary-injunctive-relief aspect of this case during the pendency of

this litigation—namely, Saenz’s return of the alleged trade secrets on the laptop, restoration of Plaintiffs’ access to the ZroBlack domain information, including the email server and webpage, and any other related matters for which temporary injunctive relief is sought. The parties agreed that discussions regarding Plaintiffs’ request for temporary injunctive relief would be fruitful, and they jointly requested additional time to engage in such discussions.

IT IS THEREFORE ORDERED THAT on or before **11:59 pm on April 16, 2021**, the parties shall meaningfully confer regarding this issue and then file a joint advisory regarding the status of their discussions. In the meantime, the Court will withhold issuing a Report and Recommendation on Plaintiffs’ Application, Dkt. Nos. 34 & 37.

IT IS FURTHER ORDERED THAT Saenz’s Motion to Dismiss, Dkt. No. 41, and the Motion to Dismiss filed by the Law Firm Defendants, Dkt. No. 40, are **HELD IN ABEYANCE** pending the issuance of a written Report and Recommendation.

IT IS SO ORDERED.

SIGNED this 14th day of April, 2021.



RICHARD B. FARRER
UNITED STATES MAGISTRATE JUDGE